

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. MJ 13-079
Plaintiff,)
)
v.)
) DETENTION ORDER
DENNIS NGUYEN,)
)
Defendant.)
_____)

Offense charged: Possession and Attempted Possession of Device Making Equipment

Date of Detention Hearing: February 15, 2013.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is a native and citizen of Canada, residing in Surrey, British

01 Columbia.

02 2. The AUSA proffers information that defendant was a leader of a skimming
03 operation in which credit/debit card data was stolen in Canada and encoded onto plastic cards,
04 which were transported into the United States for withdrawing funds from ATMs. An estimate
05 of actual and attempted loss is in excess of half a million dollars. The AUSA expresses the
06 concern that, if released, defendant could not effectively be prevented from talking to current or
07 future defendants or witnesses in Canada.

08 3. Defendant poses a risk of nonappearance due to Canadian citizenship, and
09 potential access to cash and identification and bank account information due to the nature of the
10 instant charges. He poses a risk of financial danger when considering the nature of the instant
11 charges and size of the alleged skimming operation.

12 4. There does not appear to be any condition or combination of conditions that will
13 reasonably assure the defendant's appearance at future Court hearings while addressing the
14 danger to other persons or the community.

15 It is therefore ORDERED:

- 16 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
17 General for confinement in a correction facility separate, to the extent practicable, from
18 persons awaiting or serving sentences or being held in custody pending appeal;
- 19 2. Defendant shall be afforded reasonable opportunity for private consultation with
20 counsel;
- 21 3. On order of the United States or on request of an attorney for the Government, the
22 person in charge of the corrections facility in which defendant is confined shall deliver

01 the defendant to a United States Marshal for the purpose of an appearance in connection
02 with a court proceeding; and

- 03 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
04 for the defendant, to the United States Marshal, and to the United State Pretrial Services
05 Officer.

06 DATED this 15th day of February, 2013.

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09 Mary Alice Theiler
10 United States Magistrate Judge
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